

110TH CONGRESS
1ST SESSION

H. R. 1400

AN ACT

To enhance United States diplomatic efforts with respect to Iran by imposing additional economic sanctions against Iran, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Iran Counter-Proliferation Act of 2007”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title and table of contents.

Sec. 2. United States policy toward Iran.

TITLE I—SUPPORT FOR DIPLOMATIC EFFORTS RELATING TO
PREVENTING IRAN FROM ACQUIRING NUCLEAR WEAPONS

Sec. 101. Support for international diplomatic efforts.

Sec. 102. Peaceful efforts by the United States.

TITLE II—ADDITIONAL BILATERAL SANCTIONS AGAINST IRAN

Sec. 201. Application to subsidiaries.

Sec. 202. Additional import sanctions against Iran.

Sec. 203. Additional export sanctions against Iran.

Sec. 204. Temporary increase in fee for certain consular services.

TITLE III—AMENDMENTS TO THE IRAN SANCTIONS ACT OF 1996

Sec. 301. Multilateral regime.

Sec. 302. Mandatory sanctions.

Sec. 303. Authority to impose sanctions on principal executive officers.

Sec. 304. United States efforts to prevent investment.

Sec. 305. Clarification and expansion of definitions.

Sec. 306. Removal of waiver authority.

Sec. 307. Clarification of authority.

Sec. 308. Applicability of certain amendments.

TITLE IV—ADDITIONAL MEASURES

Sec. 401. Additions to terrorism and other lists.

Sec. 402. Increased capacity for efforts to combat unlawful or terrorist financ-
ing.

Sec. 403. Exchange programs with the people of Iran.

Sec. 404. Reducing contributions to the World Bank.

Sec. 405. Restrictions on nuclear cooperation with countries assisting the nu-
clear program of Iran.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Termination.

6 **SEC. 2. UNITED STATES POLICY TOWARD IRAN.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) The prospect of the Islamic Republic of
2 Iran achieving nuclear arms represents a grave
3 threat to the United States and its allies in the Mid-
4 dle East, Europe, and globally.

5 (2) The nature of this threat is manifold, rang-
6 ing from the vastly enhanced political influence ex-
7 tremist Iran would wield in its region, including the
8 ability to intimidate its neighbors, to, at its most
9 nightmarish, the prospect that Iran would attack its
10 neighbors and others with nuclear arms. This con-
11 cern is illustrated by the statement of Hashemi
12 Rafsanjani, former president of Iran and currently a
13 prominent member of two of Iran's most important
14 decisionmaking bodies, of December 14, 2001, when
15 he said that it "is not irrational to contemplate" the
16 use of nuclear weapons.

17 (3) The theological nature of the Iranian re-
18 gime creates a special urgency in addressing Iran's
19 efforts to acquire nuclear weapons.

20 (4) Iranian regime leaders have persistently de-
21 nied Israel's right to exist. Current President
22 Mahmoud Ahmadinejad has called for Israel to be
23 "wiped off the map" and the Government of Iran
24 has displayed inflammatory symbols that express
25 similar intent.

1 (5) The nature of the Iranian threat makes it
2 critical that the United States and its allies do ev-
3 everything possible—diplomatically, politically, and
4 economically—to prevent Iran from acquiring nu-
5 clear-arms capability and persuade the Iranian re-
6 gime to halt its quest for nuclear arms.

7 (b) SENSE OF CONGRESS.—It is the sense of the
8 Congress that—

9 (1) Iranian President Ahmadinejad’s persistent
10 denials of the Holocaust and his repeated assertions
11 that Israel should be “wiped off the map” may con-
12 stitute a violation of the Convention on the Preven-
13 tion and Punishment of the Crime of Genocide and
14 should be brought before an appropriate inter-
15 national tribunal for the purpose of declaring Iran
16 in breach of the Genocide Convention;

17 (2) the United States should increase use of its
18 important role in the international financial sector to
19 isolate Iran;

20 (3) Iran should be barred from entering the
21 World Trade Organization (WTO) until all issues re-
22 lated to its nuclear program are resolved;

23 (4) all future free trade agreements entered
24 into by the United States should be conditioned on
25 the requirement that the parties to such agreements

pledge not to invest and not to allow companies based in its territory or controlled by its citizens to invest in Iran's energy sector or otherwise to make significant investment in Iran;

(5) United Nations Security Council Resolutions 1737 (December 23, 2006) and 1747 (March 24, 2007), which were passed unanimously and mandate an immediate and unconditional suspension of Iran's nuclear enrichment program, represent a critical gain in the worldwide campaign to prevent Iran's acquisition of nuclear arms and should be fully respected by all nations;

(6) the United Nations Security Council should take further measures beyond Resolutions 1737 and 1747 to tighten sanctions on Iran, including preventing new investment in Iran's energy sector, as long as Iran fails to comply with the international community's demand to halt its nuclear enrichment campaign;

(7) the United States should encourage foreign governments to direct state-owned entities to cease all investment in Iran's energy sector and all exports of refined petroleum products to Iran and to persuade, and, where possible, require private entities based in their territories to cease all investment in

1 Iran's energy sector and all exports of refined petro-
2 leum products to Iran;

3 (8) moderate Arab states have a vital and per-
4 haps existential interest in preventing Iran from ac-
5 quiring nuclear arms, and therefore such states, par-
6 ticularly those with large oil deposits, should use
7 their economic leverage to dissuade other nations,
8 including the Russian Federation and the People's
9 Republic of China, from assisting Iran's nuclear pro-
10 gram directly or indirectly and to persuade other na-
11 tions, including Russia and China, to be more forth-
12 coming in supporting United Nations Security Coun-
13 cil efforts to halt Iran's nuclear program;

14 (9) the United States should take all possible
15 measures to discourage and, if possible, prevent for-
16 eign banks from providing export credits to foreign
17 entities seeking to invest in the Iranian energy sec-
18 tor;

19 (10) the United States should oppose any fur-
20 ther activity by the International Bank for Recon-
21 struction and Development with respect to Iran, or
22 the adoption of a new Country Assistance Strategy
23 for Iran, including by seeking the cooperation of
24 other countries;

1 (11) the United States should extend its pro-
2 gram of discouraging foreign banks from accepting
3 Iranian state banks as clients;

4 (12) the United States should prohibit all Ira-
5 nian state banks from using the United States bank-
6 ing system;

7 (13) State and local government pension plans
8 should divest themselves of all non-United States
9 companies investing more than \$20,000,000 in
10 Iran's energy sector;

11 (14) the United States should designate the
12 Iranian Islamic Revolutionary Guards Corps, which
13 purveys terrorism throughout the Middle East and
14 plays an important role in the Iranian economy, as
15 a foreign terrorist organization under section 219 of
16 the Immigration and Nationality Act, place the Ira-
17 nian Islamic Revolutionary Guards Corps on the list
18 of specially designated global terrorists, and place
19 the Iranian Islamic Revolutionary Guards Corps on
20 the list of weapons of mass destruction proliferators
21 and their supporters;

22 (15) United States concerns regarding Iran are
23 strictly the result of actions of the Government of
24 Iran; and

1 (16) the American people have feelings of
2 friendship for the Iranian people, regret that devel-
3 opments of recent decades have created impediments
4 to that friendship, and hold the Iranian people, their
5 culture, and their ancient and rich history in the
6 highest esteem.

7 **TITLE I—SUPPORT FOR DIPLO-**
8 **MATIC EFFORTS RELATING**
9 **TO PREVENTING IRAN FROM**
10 **ACQUIRING NUCLEAR WEAP-**
11 **ONS**

12 **SEC. 101. SUPPORT FOR INTERNATIONAL DIPLOMATIC EF-**
13 **FORTS.**

14 It is the sense of the Congress that—

15 (1) the United States should use diplomatic and
16 economic means to resolve the Iranian nuclear prob-
17 lem;

18 (2) the United States should continue to sup-
19 port efforts in the International Atomic Energy
20 Agency and the United Nations Security Council to
21 bring about an end to Iran’s uranium enrichment
22 program and its nuclear weapons program; and

23 (3)(A) United Nations Security Council Resolu-
24 tion 1737 was a useful first step toward pressing
25 Iran to end its nuclear weapons program; and

1 (B) in light of Iran's continued defiance of the
2 international community, the United Nations Secu-
3 rity Council should adopt additional measures
4 against Iran, including measures to prohibit invest-
5 ments in Iran's energy sector.

6 **SEC. 102. PEACEFUL EFFORTS BY THE UNITED STATES.**

7 Nothing in this Act shall be construed as authorizing
8 the use of force or the use of the United States Armed
9 Forces against Iran.

10 **TITLE II—ADDITIONAL BILAT-**
11 **ERAL SANCTIONS AGAINST**
12 **IRAN**

13 **SEC. 201. APPLICATION TO SUBSIDIARIES.**

14 (a) IN GENERAL.—Except as provided in subsection
15 (b), in any case in which an entity engages in an act out-
16 side the United States which, if committed in the United
17 States or by a United States person, would violate Execu-
18 tive Order No. 12959 of May 6, 1995, Executive Order
19 No. 13059 of August 19, 1997, or any other prohibition
20 on transactions with respect to Iran that is imposed under
21 the International Emergency Economic Powers Act (50
22 U.S.C. 1701 et seq.) and if that entity was created or
23 availed of for the purpose of engaging in such an act, the
24 parent company of that entity shall be subject to the pen-

1 alties for such violation to the same extent as if the parent
2 company had engaged in that act.

3 (b) EXCEPTION.—Subsection (a) shall not apply to
4 any act carried out under a contract or other obligation
5 of any entity if—

6 (1) the contract or obligation existed on May
7 22, 2007, unless such contract or obligation is ex-
8 tended in time in any manner or expanded to cover
9 additional activities beyond the terms of the contract
10 or other obligation as it existed on May 22, 2007;
11 or

12 (2) the parent company acquired that entity not
13 knowing, and not having reason to know, that such
14 contract or other obligation existed, unless such con-
15 tract or other obligation is extended in time in any
16 manner or expanded to cover additional activities be-
17 yond the terms of such contract or other obligation
18 as it existed at the time of such acquisition.

19 (c) CONSTRUCTION.—Nothing in this section shall be
20 construed as prohibiting the issuance of regulations, or-
21 ders, directives, or licenses under the Executive orders de-
22 scribed in subsection (a) or as being inconsistent with the
23 authorities under the International Emergency Economic
24 Powers Act.

25 (d) DEFINITIONS.—In this section—

1 (1) the term “entity” means a partnership, as-
2 sociation, trust, joint venture, corporation, or other
3 organization;

4 (2) an entity is a “parent company” of another
5 entity if it controls, directly or indirectly, that other
6 entity and is a United States person; and

7 (3) the term “United States person” means any
8 United States citizen, any alien lawfully admitted for
9 permanent residence to the United States, any entity
10 organized under the laws of the United States, or
11 any person in the United States.

12 **SEC. 202. ADDITIONAL IMPORT SANCTIONS AGAINST IRAN.**

13 Effective 120 days after the date of the enactment
14 of this Act—

15 (1) goods of Iranian origin that are otherwise
16 authorized to be imported under section 560.534 of
17 title 31, Code of Federal Regulations, as in effect on
18 March 5, 2007, may not be imported into the United
19 States under such section; and

20 (2) activities otherwise authorized by section
21 560.535 of title 31, Code of Federal Regulations, as
22 in effect on March 5, 2007, are no longer authorized
23 under such section.

24 **SEC. 203. ADDITIONAL EXPORT SANCTIONS AGAINST IRAN.**

25 Effective on the date of the enactment of this Act—

1 (1) licenses to export or reexport goods, serv-
2 ices, or technology relating to civil aviation that are
3 otherwise authorized by section 560.528 of title 31,
4 Code of Federal Regulations, as in effect on March
5 5, 2007, may not be issued, and any such license
6 issued before such date of enactment is no longer
7 valid; and

8 (2) goods, services, or technology described in
9 paragraph (1) may not be exported or reexported.

10 **SEC. 204. TEMPORARY INCREASE IN FEE FOR CERTAIN**
11 **CONSULAR SERVICES.**

12 (a) INCREASE IN FEE.—Notwithstanding any other
13 provision of law, not later than 120 days after the date
14 of the enactment of this Act, the Secretary of State shall
15 increase by \$1.00 the fee or surcharge assessed under sec-
16 tion 140(a) of the Foreign Relations Authorization Act,
17 Fiscal Years 1994 and 1995 (Public Law 103–236; 8
18 U.S.C. 1351 note) for processing machine readable non-
19 immigrant visas and machine readable combined border
20 crossing identification cards and nonimmigrant visas.

21 (b) DEPOSIT OF AMOUNTS.—Fees collected under the
22 authority of subsection (a) shall be deposited in the Treas-
23 ury.

24 (c) DURATION OF INCREASE.—The fee increase au-
25 thorized under subsection (a) shall terminate on the date

1 that is one year after the date on which such fee is first
2 collected.

3 **TITLE III—AMENDMENTS TO**
4 **THE IRAN SANCTIONS ACT OF**
5 **1996**

6 **SEC. 301. MULTILATERAL REGIME.**

7 Section 4(b) of the Iran Sanctions Act of 1996 (50
8 U.S.C. 1701 note) is amended to read as follows:

9 “(b) REPORTS TO CONGRESS.—Not later than 6
10 months after the date of the enactment of the Iran
11 Counter-Proliferation Act of 2007 and every six months
12 thereafter, the President shall transmit to the appropriate
13 congressional committees a report regarding specific diplo-
14 matic efforts undertaken pursuant to subsection (a), the
15 results of those efforts, and a description of proposed diplo-
16 matic efforts pursuant to such subsection. Each report
17 shall include—

18 “(1) a list of the countries that have agreed to
19 undertake measures to further the objectives of sec-
20 tion 3 with respect to Iran;

21 “(2) a description of those measures, includ-
22 ing—

23 “(A) government actions with respect to
24 public or private entities (or their subsidiaries)

1 located in their territories, that are engaged in
2 Iran;

3 “(B) any decisions by the governments of
4 these countries to rescind or continue the provi-
5 sion of credits, guarantees, or other govern-
6 mental assistance to these entities; and

7 “(C) actions taken in international fora to
8 further the objectives of section 3;

9 “(3) a list of the countries that have not agreed
10 to undertake measures to further the objectives of
11 section 3 with respect to Iran, and the reasons
12 therefor; and

13 “(4) a description of any memorandums of un-
14 derstanding, political understandings, or inter-
15 national agreements to which the United States has
16 acceded which affect implementation of this section
17 or section 5(a).”.

18 **SEC. 302. MANDATORY SANCTIONS.**

19 Section 5(a) of the Iran Sanctions Act of 1996 (50
20 U.S.C. 1701 note) is amended by striking “2 or more of
21 the sanctions described in paragraphs (1) through (6) of
22 section 6” and inserting “the sanction described in para-
23 graph (5) of section 6 and, in addition, one or more of
24 the sanctions described in paragraphs (1), (2), (3), (4),
25 and (6) of such section”.

1 **SEC. 303. AUTHORITY TO IMPOSE SANCTIONS ON PRIN-**
2 **CIPAL EXECUTIVE OFFICERS.**

3 Section 5 of the Iran Sanctions Act of 1996 (50
4 U.S.C. 1701 note) is amended by adding at the end the
5 following:

6 “(g) AUTHORITY TO IMPOSE SANCTIONS ON PRIN-
7 CIPAL EXECUTIVE OFFICERS.—

8 “(1) SANCTIONS UNDER SECTION 6.—In addi-
9 tion to the sanctions imposed under subsection (a),
10 the President may impose any of the sanctions
11 under section 6 on the principal executive officer or
12 officers of any sanctioned person, or on persons per-
13 forming similar functions as such officer or officers.
14 The President shall include on the list published
15 under subsection (d) the name of any person on
16 whom sanctions are imposed under this paragraph.

17 “(2) ADDITIONAL SANCTIONS.—In addition to
18 the sanctions imposed under paragraph (1), the
19 President may block the property of any person de-
20 scribed in paragraph (1), and prohibit transactions
21 in such property, to the same extent as the property
22 of a foreign person determined to have committed
23 acts of terrorism for purposes of Executive Order
24 No. 13224 of September 23, 2001 (50 U.S.C. 1701
25 note).”.

1 **SEC. 304. UNITED STATES EFFORTS TO PREVENT INVEST-**
2 **MENT.**

3 Section 5 of the Iran Sanctions Act of 1996 is
4 amended by adding the following new subsection at the
5 end:

6 “(h) UNITED STATES EFFORTS TO ADDRESS
7 PLANNED INVESTMENT.—

8 “(1) REPORTS ON INVESTMENT ACTIVITY.—Not
9 later than January 30, 2008, and every 6 months
10 thereafter, the President shall transmit to the Com-
11 mittee on Foreign Affairs of the House of Rep-
12 resentatives and the Committee on Foreign Rela-
13 tions of the Senate a report on investment and pre-
14 investment activity, by any person or entity, that
15 could contribute to the enhancement of Iran’s ability
16 to develop petroleum resources in Iran. For each
17 such activity, the President shall provide a descrip-
18 tion of the activity, any information regarding when
19 actual investment may commence, and what steps
20 the United States has taken to respond to such ac-
21 tivity.

22 “(2) DEFINITION.—In this subsection—

23 “(A) the term ‘investment’ includes the ex-
24 tension by a financial institution of credit or
25 other financing to a person for that person’s in-
26 vestment; and

1 “(B) the term ‘pre-investment activity’
2 means any activity indicating an intent to make
3 an investment, including a memorandum of un-
4 derstanding among parties indicating such an
5 intent.”

6 **SEC. 305. CLARIFICATION AND EXPANSION OF DEFINI-**
7 **TIONS.**

8 (a) PERSON.—Section 14(13)(B) of the Iran Sanc-
9 tions Act of 1996 (50 U.S.C. 1701 note) is amended to
10 read as follows:

11 “(B)(i) a corporation, business association,
12 partnership, society, trust, financial institution,
13 insurer, underwriter, guarantor, and any other
14 business organization;

15 “(ii) any foreign subsidiary of any entity
16 described in clause (i); and

17 “(iii) any government entity operating as a
18 business enterprise, such as an export credit
19 agency; and”.

20 (b) DEVELOPMENT AND INVESTMENT.—Section 14
21 of the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note)
22 is amended—

23 (1) in paragraph (4), by inserting “tanker or”
24 after “transportation by”; and

25 (2) in paragraph (9)—

1 (A) by inserting after subparagraph (C)
 2 the following:

3 “(D) The sale of an oil tanker or liquefied
 4 natural gas tanker.”; and

5 (B) in the second sentence, by inserting “,
 6 other than a sale described in subparagraph
 7 (D)” after “goods, service, or technology”.

8 **SEC. 306. REMOVAL OF WAIVER AUTHORITY.**

9 (a) SIX-MONTH WAIVER AUTHORITY.—Section 4 of
 10 the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note)
 11 is amended—

12 (1) in subsection (d)(1), by striking “except
 13 those with respect to which the President has exer-
 14 cised the waiver authority of subsection (c)”;

15 (2) by striking subsection (c); and

16 (3) by redesignating subsections (d), (e), and
 17 (f) as subsections (c), (d), and (e), respectively.

18 (b) GENERAL WAIVER AUTHORITY.—Section 9 of the
 19 Iran Sanctions Act of 1996 (50 U.S.C. 1701 note) is
 20 amended by striking subsection (c).

21 **SEC. 307. CLARIFICATION OF AUTHORITY.**

22 Section 6(6) of the Iran Sanctions Act of 1996 (50
 23 U.S.C. 1701 note) is amended by inserting “the authori-
 24 ties under” after “in accordance with”.

1 **SEC. 308. APPLICABILITY OF CERTAIN AMENDMENTS.**

2 The amendments made by sections 302, 305, and 306
3 shall apply with respect to acts done on or after August
4 3, 2007.

5 **TITLE IV—ADDITIONAL**
6 **MEASURES**

7 **SEC. 401. ADDITIONS TO TERRORISM AND OTHER LISTS.**

8 (a) DETERMINATIONS AND REPORT.—Not later than
9 120 days after the date of the enactment of this Act, the
10 President shall—

11 (1) determine whether the Iranian Islamic Rev-
12 olutionary Guards Corps (in this section referred to
13 as “IRGC”) should be—

14 (A) designated as a foreign terrorist orga-
15 nization under section 219 of the Immigration
16 and Nationality Act (8 U.S.C. 1189);

17 (B) placed on the list of specially des-
18 ignated global terrorists; and

19 (C) placed on the list of weapons of mass
20 destruction proliferators and their supporters;
21 and

22 (2) report the determinations under paragraph
23 (1) to the Committee on Foreign Affairs of the
24 House of Representatives and the Committee on
25 Foreign Relations of the Senate, including, if the
26 President determines that such Corps should not be

1 so designated or placed on either such list, the jus-
2 tification for the President’s determination.

3 (b) EXTENSION OF AUTHORITY.—The President may
4 block all property and interests in property of the fol-
5 lowing persons, to the same extent as property and inter-
6 ests in property of a foreign person determined to have
7 committed acts of terrorism for purposes of Executive
8 Order No. 13224 of September 21, 2001 (50 U.S.C. 1701
9 note) may be blocked:

10 (1) Persons who assist or provide financial, ma-
11 terial, or technological support for, or financial or
12 other services to or in support of, the IRGC or enti-
13 ties owned or effectively controlled by the IRGC.

14 (2) Persons otherwise associated with the IRGC
15 or entities referred to in paragraph (1).

16 (c) DEFINITIONS.—In this section—

17 (1) the term “specially designated global ter-
18 rorist” means any person included on the Annex to
19 Executive Order No. 13224, of September 23, 2001,
20 and any other person identified under section 1 of
21 that Executive order whose property and interests in
22 property are blocked by that section; and

23 (2) the term “weapons of mass destruction
24 proliferators and their supporters” means any per-
25 son included on the Annex to Executive Order No.

(a) FINDINGS.—The work of the Office of Terrorism and Financial Intelligence of the Department of Treasury, which includes the Office of Foreign Assets Control and the Financial Crimes Enforcement Center, is critical to ensuring that the international financial system is not used for purposes of supporting terrorism and developing weapons of mass destruction.

19 (c) AUTHORIZATION AMENDMENT.—Section
20 310(d)(1) of title 31, United States Code, is amended by
21 striking “such sums as may be necessary for fiscal years
22 2002, 2003, 2004, and 2005” and inserting “\$85,844,000
23 for fiscal year 2008 and such sums as may be necessary
24 for each of the fiscal years 2009 and 2010”.

1 **SEC. 403. EXCHANGE PROGRAMS WITH THE PEOPLE OF**
2 **IRAN.**

3 (a) SENSE OF CONGRESS.—It is the sense of the Con-
4 gress that the United States should seek to enhance its
5 friendship with the people of Iran, particularly by identi-
6 fying young people of Iran to come to the United States
7 under United States exchange programs.

8 (b) EXCHANGE PROGRAMS AUTHORIZED.—The
9 President is authorized to carry out exchange programs
10 with the people of Iran, particularly the young people of
11 Iran. Such programs shall be carried out to the extent
12 practicable in a manner consistent with the eligibility for
13 assistance requirements specified in section 302(b) of the
14 Iran Freedom Support Act (Public Law 109–293).

15 (c) AUTHORIZATION.—Of the amounts available to
16 the Department of State for “Educational and Cultural
17 Exchanges” to carry out the Mutual Educational and Cul-
18 tural Exchange Act of 1961, there is authorized to be ap-
19 propriated to the President to carry out this section the
20 sum of \$10,000,000 for fiscal year 2008.

21 **SEC. 404. REDUCING CONTRIBUTIONS TO THE WORLD**
22 **BANK.**

23 The President of the United States shall reduce the
24 total amount otherwise payable on behalf of the United
25 States to the International Bank for Reconstruction and

1 Development for each fiscal year by the percentage rep-
2 resented by—

3 (1) the total of the amounts provided by the
4 Bank to entities in Iran, or for projects and activi-
5 ties in Iran, in the then-preceding fiscal year; di-
6 vided by

7 (2) the total of the amounts provided by the
8 Bank to all entities, or for all projects and activities,
9 in the then-preceding fiscal year.

10 **SEC. 405. RESTRICTIONS ON NUCLEAR COOPERATION WITH**
11 **COUNTRIES ASSISTING THE NUCLEAR PRO-**
12 **GRAM OF IRAN.**

13 (a) IN GENERAL.—

14 (1) RESTRICTION.—Notwithstanding any other
15 provision of law or any international agreement—

16 (A) no agreement for cooperation between
17 the United States and the government of any
18 country that is assisting the nuclear program of
19 Iran or transferring advanced conventional
20 weapons or missiles to Iran may be submitted
21 to the President or to Congress pursuant to
22 section 123 of the Atomic Energy Act of 1954
23 (42 U.S.C. 2153),

24 (B) no such agreement may enter into
25 force with such country,

1 (C) no license may be issued for export di-
2 rectly or indirectly to such country of any nu-
3 clear material, facilities, components, or other
4 goods, services, or technology that would be
5 subject to such agreement, and

6 (D) no approval may be given for the
7 transfer or retransfer directly or indirectly to
8 such country of any nuclear material, facilities,
9 components, or other goods, services, or tech-
10 nology that would be subject to such agreement,
11 until the President makes the determination and re-
12 port under paragraph (2).

13 (2) DETERMINATION AND REPORT.—The deter-
14 mination and report referred to in paragraph (1) are
15 a determination and report by the President, sub-
16 mitted to the Committee on Foreign Relations of the
17 Senate and the Committee on Foreign Affairs of the
18 House of Representatives, that—

19 (A) Iran has ceased its efforts to design,
20 develop, or acquire a nuclear explosive device or
21 related materials or technology; or

22 (B) the government of the country that is
23 assisting the nuclear program of Iran or trans-
24 ferring advanced conventional weapons or mis-
25 siles to Iran—

1 (i) has suspended all nuclear assist-
2 ance to Iran and all transfers of advanced
3 conventional weapons and missiles to Iran;
4 and

5 (ii) is committed to maintaining that
6 suspension until Iran has implemented
7 measures that would permit the President
8 to make the determination described in
9 subparagraph (A).

10 (b) CONSTRUCTION.—The restrictions in subsection
11 (a)—

12 (1) shall apply in addition to all other applica-
13 ble procedures, requirements, and restrictions con-
14 tained in the Atomic Energy Act of 1954 and other
15 laws; and

16 (2) shall not be construed as affecting the valid-
17 ity of agreements for cooperation that are in effect
18 on the date of the enactment of this Act.

19 (c) DEFINITIONS.—In this section:

20 (1) AGREEMENT FOR COOPERATION.—The term
21 “agreement for cooperation” has the meaning given
22 that term in section 11 b. of the Atomic Energy Act
23 of 1954 (42 U.S.C. 2014(b)).

24 (2) ASSISTING THE NUCLEAR PROGRAM OF
25 IRAN.—The term “assisting the nuclear program of

1 Iran” means the intentional transfer to Iran by a
2 government, or by a person subject to the jurisdic-
3 tion of a government with the knowledge and acqui-
4 escence of that government, of goods, services, or
5 technology listed on the Nuclear Suppliers Group
6 Guidelines for the Export of Nuclear Material,
7 Equipment and Technology (published by the Inter-
8 national Atomic Energy Agency as Information Cir-
9 cular INFCIRC/254/Rev. 3/Part 1, and subsequent
10 revisions), or the Nuclear Suppliers Group Guide-
11 lines for Transfers of Nuclear-Related Dual-Use
12 Equipment, Material, and Related Technology (pub-
13 lished by the International Atomic Energy Agency as
14 Information Circular INFCIR/254/Rev. 3/Part 2,
15 and subsequent revisions).

16 (3) COUNTRY THAT IS ASSISTING THE NU-
17 CLEAR PROGRAM OF IRAN OR TRANSFERRING AD-
18 VANCED CONVENTIONAL WEAPONS OR MISSILES TO
19 IRAN.—The term “country that is assisting the nu-
20 clear program of Iran or transferring advanced con-
21 ventional weapons or missiles to Iran” means—

22 (A) the Russian Federation; and

23 (B) any other country determined by the
24 President to be assisting the nuclear program

1 of Iran or transferring advanced conventional
2 weapons or missiles to Iran.

3 (4) TRANSFERRING ADVANCED CONVENTIONAL
4 WEAPONS OR MISSILES TO IRAN.—The term “trans-
5 ferring advanced conventional weapons or missiles to
6 Iran” means the intentional transfer to Iran by a
7 government, or by a person subject to the jurisdic-
8 tion of a government with the knowledge and acqui-
9 escence of that government, of goods, services, or
10 technology listed on—

11 (A) the Wassenaar Arrangement list of
12 Dual Use Goods and Technologies and Muni-
13 tions list of July 12, 1996, and subsequent revi-
14 sions; or

15 (B) the Missile Technology Control Regime
16 Equipment and Technology Annex of June 11,
17 1996, and subsequent revisions.

18 (d) EFFECTIVE DATE.—The amendment made by
19 subsection (a) shall apply to expense paid or incurred on
20 or after January 1, 2007.

21 **TITLE V—MISCELLANEOUS** 22 **PROVISIONS**

23 **SEC. 501. TERMINATION.**

24 (a) TERMINATION.—The restrictions provided in sec-
25 tions 203, 404, and 405 shall cease to be effective with

1 respect to Iran on the date on which the President deter-
2 mines and certifies to the appropriate congressional com-
3 mittees that Iran—

4 (1) has ceased its efforts to design, develop,
5 manufacture, or acquire—

6 (A) a nuclear explosive device or related
7 materials and technology;

8 (B) chemical and biological weapons; and

9 (C) ballistic missiles and ballistic missile
10 launch technology;

11 (2) has been removed from the list of countries
12 the governments of which have been determined, for
13 purposes of section 6(j) of the Export Administra-
14 tion Act of 1979 (50 U.S.C. 2405(j)), section 620A
15 of the Foreign Assistance Act of 1961, section 40 of
16 the Arms Export Control Act, or any other provision
17 of law, to have repeatedly provided support for acts
18 of international terrorism; and

19 (3) poses no significant threat to United States
20 national security, interests, or allies.

21 (b) DEFINITION.—In subsection (a), the term “ap-
22 propriate congressional committees” means the Com-

- 1 mittee on Foreign Affairs of the House of Representatives
- 2 and the Committee on Foreign Relations of the Senate.

Passed the House of Representatives September 25,
2007.

Attest:

Clerk.

110TH CONGRESS
1ST SESSION

H. R. 1400

AN ACT

To enhance United States diplomatic efforts with respect to Iran by imposing additional economic sanctions against Iran, and for other purposes.